

UNITED STATES DISTRICT COURT

C.A. No. 04-11667-RGS

T. Rowe Price Tax-Free High Yield Fund, Inc.,)
Smith Barney Income Funds/Smith Barney)
Municipal High Income Fund, Dryden National)
Municipals Fund, Inc., ACA Financial Guaranty)
Corporation, And Lois And John Moore)
Plaintiffs,)
)
v.)
)
Karen M. Sughrue, Garry L. Crago, Jean W.)
Childs, Paula Edwards Cochran, G. Stevens Davis,)
Jr., Julia B. DeMoss, William R. Dill, Leslie A.)
Ferlazzo, Joyce Shaffer Fleming, Eric W. Hayden,)
Catherine Chapin Kobacker, Anne Marcus, Celeste)
Reid, Richard J. Sheehan, Jr., Joseph Short,)
Gregory E. Thomas, Susan K. Turben, Donald W.)
Kiszka and Advest, Inc.,)
)
Defendants.)

AFFIDAVIT OF COMPLIANCE UNDER
M.G.L. CH. 223A §6(a)(3) AND RULE 4(b)

I, Thomas G. Hoffman, of GREENE & HOFFMAN, P.C., 125 Summer Street, Suite 1410, Boston, Massachusetts, attorney for the Plaintiff(s) in the above-entitled action, do hereby state that on October 22, 2004, I caused to be mailed by Certified Mail No.: 70022030000290872112, Return Receipt Requested to the Defendant, Donald W. Kiszka, a copy of the Summons and Complaint in this action and that attached is a true and accurate copy of the Return Receipt which was returned, the postal authorities having made duly delivery thereof. The original is on file in Suffolk Superior Court under Civil Action Number 04-3330-BLS.

Signed under the pains and penalties of perjury this 27th day of October 2004.

Respectfully submitted,
The Plaintiffs,

T. Rowe Price Tax-Free High Yield Fund, Inc.,
Smith Barney Income Funds/Smith Barney
Municipal High Income Fund, Dryden National
Municipals Fund, Inc., ACA Financial Guaranty
Corporation, And Lois And John Moore,

By their attorney,

By: /s/ Thomas G. Hoffman

Thomas G. Hoffman, Esquire

B.B.O. No.: 237320

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